

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED  
for Roanoke  
JUL 19 2011  
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BY: *M. Hep*  
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ROBERT L. JOHNSON, JR.,  
Petitioner,

Civil Action No. 7:11-cv-00281

MEMORANDUM OPINION

v.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

HAROLD CLARKE,  
Respondent.

The petitioner, a Virginia inmate proceeding pro se, filed a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254. By an Order entered June 17, 2011, the court informed petitioner that his petition appeared untimely and unexhausted and requested information from petitioner within fifteen days. The Order advised petitioner that failure to respond to it would result in dismissal of his petition.

Petitioner has not communicated with the court since entry of the June 17, 2011, Order. As the time allotted for his response has expired, this action is dismissed without prejudice for failing to comply with the court's order. Plaintiff may refile his claims in a new and separate action.

The Clerk is directed to send copies of this memorandum opinion and the accompanying order to petitioner.

ENTER: This 19<sup>th</sup> day of July, 2011.

*Jackson L. Kiser*  
Senior United States District Judge